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*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

THE LDP CORP. PROFIT SHARING PLAN
AND TRUST; LEONARD D. PEARLMAN, in his
capacity as Trustee for The LDP Corp. Profit
Sharing Plan and Trust; and EMANUEL R.
PEARLMAN, in his capacity as Trustee for The
LDP Corp. Profit Sharing Plan and Trust,

Defendants.

Adv. Pro. No. 10-05043 (SMB)

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendants the LDP Corp. Profit Sharing Plan and Trust, The Estate of Leonard D. Pearlman, as successor to Leonard D. Pearlman, and Emanuel R. Pearlman, in his capacity as Trustee for the LDP Corp. Profit Sharing Plan and Trust (“Defendants”), by and through their counsel, Jaspan Schlesinger LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 2, 2010, the Trustee filed and served the Complaint on the Defendants.
2. On December 14, 2011, Defendants served an Answer.
3. On January 4, 2012, the Trustee filed and served an Amended Complaint on the Defendants.
4. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Defendants in the above-captioned adversary proceeding and dismissal the adversary proceeding.
5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.
6. This Stipulation may be signed by the Parties in any number of counterparts, each

of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: December 16, 2015

BAKER & HOSTETLER LLP

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Trustee for the Liquidation of Bernard L.
Madoff Investment Securities LLC and the
Estate of Bernard L. Madoff*

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Sharing Plan and Trust; Leonard D. Pearlman,
in his capacity as Trustee for The LDP Corp.
Profit Sharing Plan and Trust; and Emanuel R.
Pearlman, in his capacity as Trustee for The
LDP Corp. Profit Sharing Plan and Trust*

SO ORDERED

Dated: December 17th, 2015
New York, New York

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE